Serial No. 09/478,313
Art Unit No. 2141

REMARKS

Claims 1-20 are currently pending in the patent application. By this amendment, Applicants have amended the language of the independent claims, have canceled Claim 14, and have changed the dependency of Claims 13 and 14 based on the cancellation of Claim 14.

The Examiner has again rejected Claims 1-13 and 15-20 under 35 USC 102(a) as anticipated by Gabber, et al; and, Claim 14 under 35 USC 103 as being unpatentable over the teachings of Gabber in view of Draves. For the reasons set forth below and based on the amendments presented herein, Applicants respectfully assert that all of the pending claims are patentable over the cited prior art.

The present invention is directed to a system, method and program storage device for facilitating processing of common data at a remote service entity without having to repeatedly send the common data to the remote entity. A first source entity sends the common data to the remote entity at which processing by different service applications is to be invoked. The common data is stored and a data

handle is associated with the common data. The data handle may be created at the source entity, the service entity, or at a third location. The source and service entities are both aware of the data handle. When the source entity wishes to invoke service applications on the common data, the source entity generates a request which simply contains the data handle and invocation-specific data and passes that request to the server entity. At the server entity, the common data is retrieved and the requested services are invoked on the common data.

The Gabber patent is directed to a system and method for allowing a user to anonymously browse server sites. The user is assigned a site-specific substitute identifier, which is based on user-specific information and site information (Col. 9, line 65-Col. 10, line 2 and Col. 10, lines 6-10). The substitute identifier can be created at the user site or the proxy server site (Col. 3, lines 34-37 and Col. 4, lines 12-24). Contact is made to server sites through the proxy server using the substitute identifier. Since a substitute identifier can only be tracked back to the proxy server, the server sites are not able to obtain user-specific contact information. Gabber also provides for

the proxy server to save the substitute identifier information for future contact between the user and the particular server site, so that the server site will "recognize" the user's substitute identifier in order to offer personalized service and to send e-mails to the user at a server-based e-mailbox. If a user wishes to execute a transaction through the proxy server, server credit card information or alias credit card information are provided to the transaction site rather than user-identifiable credit card information.

Gabber describes three routines which are used in the system and method (Col. 5, line 66-Col. 6, line 12). A first routine is used for creating or choosing a substitute identifier for the user based on user information, and optionally also on information about the target server site. The first routine may be executed at the user site or at the proxy server (Col. 3, lines 34-37, Col. 4, lines 12-24). The second routine communicates the substitute identifier from the proxy server to the server site that the user wants to contact and transmits browsing commands between the user site and the server site. The third routine strips user browsing commands, which pass through the proxy server, of

any identifying information which could potentially help the server site to identify or locate the user.

The Examiner has rejected Claims 1-13 and 15-20 as anticipated by the Gabber patent. Applicants will first address the applicability of the Gabber patent teachings to the language of the independent claims, Claims 1, 15 and 20.

The Examiner has concluded that Gabber's teaching of a user sending user-specific information to a proxy server is the same as transferring common data from a first source entity to be stored at a second entity. Applicants first note that the user in Gabber is not transferring data for storage and for subsequent processing at the second entity. Rather, the user is sending a request to browse a server site. The request may be accompanied by user-specific information which will be used by the proxy server to generate or select a substitute identifier. The Gabber user is not transferring data to be stored. In fact, the Gabber user would prefer that the user-specific data not be stored at the proxy server, in order to further insulate the user from being identified by a server site (see: Col. 7, lines 39-44).

Applicants next note that the Gabber data is not being provided for processing by more than one of a plurality of different service applications. The three routines of Gabber are not the same as or suggestive of three different service applications which operate on the same data. The first Gabber routine "operates" on user-specific data to generate a substitute identifier. Applicants note that Gabber expressly teaches that this routine can be executed at the user location (see: Col. 6, lines 24-27 and lines 44-51) or at the proxy server. The second routine "operates" on the substitute identifier and the URL of the server site insofar as it communicates the data handle to the server site. The third routine operates on browser commands received from the user in order to remove user-identifying information from the commands. It is clear that the three Gabber routines are operating on three different sets of data: first, user-specific data; second, substitute identifier data; and third, user browsing commands. Clearly, Gabber is not teaching or suggesting that common data (i.e., the user-specific data) be transferred by a user to a proxy server so that the common data can be operated on by more than one different service

application at the second proxy server, as is explicitly claimed.

The Examiner has concluded, on page 3 as well as on page 4 of the Office Action, that Gabber does provide subsequent processing on common data. Specifically, the Examiner concludes that Gabber processes the substitute identifiers, that Gabber transmits information to a server site, that Gabber employs a mail-collecting routine for the user, that Gabber supports anonymous authentication in e-mail services, and that Gabber provides electronic payment services by providing its own valid credit card number to the requesting site. Applicants respectfully assert that Gabber only teaches one step for processing the user-specific data which is being analogized to the claimed common data. In the Gabber embodiment wherein the substitute identifiers are created at the proxy server, that is the ***only*** processing which is done on the user data. Thereafter, all processing at the proxy server is done on the substitute identifiers. It is the substitute identifiers which are incorporated into transmissions and it is the substitute identifiers which are used for anonymous authentication. The e-mailboxes and the personalized

service are linked to the substitute identifiers since the server sites which are sending the e-mails and offering the personalized services are only aware of the substitute identifiers. Finally, the electronic payment processing is also linked to the substitute identifiers, using server or alias credit card information. Gabber is exclusively dedicated to protecting the identity and location of the user. Gabber overtly teaches that the user-specific information is ***not*** used in order to protect the identity and location of the user.

Clearly Gabber is not teaching or suggesting the steps of and means for transferring common data to the proxy server for storing and subsequently processing the common data by a plurality of different service applications at the server. Gabber does not teach or suggest that the user-specific data be operated on by a plurality of different service applications. A substitute identifier is generated for the user-specific data in one process, a process which may not even require any processing on the user-specific data (see: e.g., the teachings found in Col. 8, line 27 wherein Gabber states that the substitute identifier may be chosen, as opposed to being constructed).

All other processing is then done on the substitute identifier.

With regard to the claimed step of and means for associating a data handle to the stored data, wherein the first and second entities are each aware of the handle, Applicants disagree with the Examiner's conclusion that the teachings found at Col. 8, lines 22-39 anticipate that claim feature. What is taught in Col. 8 is that the user provides user-specific information to the proxy server browser interface and that the substitute identifier is chosen or generated using the user-specific information and the information related to the site to be visited by the user. Each time a user visits a different site, a different substitute identifier will be generated. Clearly, therefore, the substitute identifier is not a single data handle associated with the common data and cannot be used each time a user wishes to invoke operations on the common data. The Gabber substitute identifier can only be used again if the user wishes to contact the same server site.

Applicants next note that Gabber never states that both entities be aware of the handle. In the teachings at Col. 3, lines 34-37, and at Col. 4, lines 12-24, it is stated

that the substitute identifier may be chosen or constructed at the user site. Gabber does not state whether both sites are aware of the handle, however. Further, in that case, user-specific common data is clearly not stored at the second entity, since it is not even transferred to the second entity. In the other embodiment, when the proxy site is choosing or constructing the substitute identifier, Gabber does not provide any teachings about the proxy site making the user site aware of the substitute identifier. Since transparency of the user is desired, it makes sense that Gabber would not provide the substitute identifier information to the user site, so that no other site could "snoop" the substitute identifier information from the user site and thereby locate and identify the user. Accordingly, Applicants conclude that Gabber does not teach the claim feature, and essentially teaches away from that claim feature.

With respect to the claimed steps of and means for invoking service on the common data, Applicants rely on the arguments set forth above, that Gabber performs operations on the substitute identifier but not on the common data. The claim language specifically states that the data handle

be used by the user, along with invocation-specific data, in an invocation request to invoke operations on the stored common data by a plurality of different service applications at the server. Gabber does not teach or suggest that a ***user*** uses the substitute identifier to invoke operations on user-specific data. In fact, the Gabber user does not want the substitute identifier to be traceable back to the user site. Accordingly, it cannot be maintained that Gabber teaches that a user generates a request including the substitute identifier and invocation-specific data for invoking service on the common data (i.e., user-specific data) since such would render Gabber unworkable for its intended purpose of shielding the user. Even when Gabber does access both the substitute identifier and the URL, for the second routine of transferring the substitute identifier to the server site, the two sets of data are not being used to invoke service on other "common data". No service is being performed on user-specific data based on use of the substitute identifier and the URL.

For a patent to anticipate another invention under 35 USC § 102(e), the patent must clearly teach each and every claimed feature of the anticipated invention. Since the

Gabber patent clearly does not teach the transferring of common data from a first source entity for storage at a second entity, does not teach storing common data as stored data at the second entity, does not teach associating a data handle to stored common data where each entity is aware of the handle, and does not teach invoking services on common data using the handle, it cannot be maintained that the Gabber patent anticipates each and every claim feature recited in independent claims 1, 15 and 20. Further, a reference which does not anticipate an independent claim, cannot be said to anticipate a dependent claims which depends therefrom and adds limitations thereto. Accordingly, Applicants respectfully request withdrawal of the anticipation rejections of Claims 1-13 and 15-20 based on the Gabber patent.

Applicants also note, with regard to Claim 3 wherein said transferring and said invoking are done simultaneously and wherein said method further comprises invoking at least one successive service on said data by using said data handle after said storing and associating steps, that if Gabber were to perform transferring of user-specific information from a user site to the proxy server

simultaneously with invoking a first service to contact the server site, it would render the Gabber system unworkable. Since user-specific information would be available to the server site based on the simultaneous transferring and invoking before the proxy server could create or select a substitute identifier for the user, then the intended anonymity could not possibly be preserved. Gabber does not teach that the two steps be done simultaneously and cannot logically be modified to perform the two steps simultaneously since such modification would render it unworkable for its intended purpose. Accordingly, it cannot be maintained that Gabber either anticipates or obviates the claim language.

With regard to Claims 5 and 16, Gabber does not teach or suggest that the user requests that services be invoked on common data, as discussed above. Moreover, Gabber provides no teaching of invoking a plurality of services on common data by transferring a composite service invocation. All that Gabber teaches is that the user requests to visit a site and that the request includes user-specific data and the site to be visited. The proxy server chooses or generates the substitute identifier, which is the only

processing related to the user-specific data. The cited teachings from Gabber Col. 6, lines 40-44 enumerate different sites that the user may request to visit. Gabber does not teach or suggest, however, that the user make a composite site-visit request. Furthermore, even if Gabber did so suggest, since different site-specific substitute identifiers are generated for visiting different sites, then a composite service invocation to perform service on common data represented by a single data handle would render Gabber unworkable for its intended purpose.

With regard to Claim 6, as noted above, Gabber teaches that the substitute identifier can be generated by the user site, but does not provide any teachings of both storing the common data at the server in that embodiment and communicating the substitute identifier to the server.

With regard to Claims 7 and 8, there is no teaching in Gabber of overt communication from the server or third entity to the user site of the substitute identifier. Applicants again note that such overt communication may compromise the user anonymity.

With regard to Claim 9, Gabber does not teach that associating a handle be implicit. The cited teachings

reflect the process of creating a substitute identifier and make no mention that the process be implicit in the transfer.

With regard to Claim 10, the claimed invention not only creates a data handle, but also transforms the common data. Gabber simply chooses or creates a substitute identifier. There is no teaching or suggestion in Gabber of not only generating the substitute identifier but also transforming the user-specific data in a separate step.

With regard to Claim 11, the claim recites that the service requested is transfer of common data across a network. Gabber expressly teaches away from the claim language, since Gabber creates the substitute identifier for the express purpose of ***not*** transferring the user-specific data across the network. Clearly, Gabber cannot be said to teach or suggest that claim feature.

With regard to Claim 12, Gabber does not teach encrypting the user-specific data. Rather, Gabber teaches substituting, or creating a substitute identifier for the user-specific data. Again, as with Claims 10 and 11, the claim feature is in addition to the associating of a data handle.

With regard to Claim 13, Applicants again contend that such an interpretation of Gabber would render it unworkable. If Gabber were teaching I/O of the user-specific data, then there would be no need for generating substitute identifiers. Clearly, such an interpretation cannot be maintained.

With regard to Claim 17 and 18, whether the substitute identifier is generated at the user site or the proxy server, it is still not a data handle component as claimed, since Gabber neither teaches not suggests the claimed data handles. Moreover, the cited teachings from Col. 8 cited against Claim 17 detail user provision of user-specific information to the proxy system browser interface and do not anticipate the data handle component at a first entity.

As to Claim 19, whether the user site of Gabber is located on another domain from the proxy server or not, the claim is not anticipated for the reasons set forth above with regard to Claim 15, from which Claim 19 depends.

Finally, the Examiner has rejected Claim 14 based on a combination of Gabber and Draves. Claim 14 recites that the second entity comprises a kernel and the service is provided by the second entity. While the Draves patent does teach

that a kernel of an operating system maintains a resource table, the combination of Gabber and Draves does not obviate the claimed invention. Draves does not teach the aspects which are missing from the Gabber patent (i.e., the transferring of common data from a first source entity for storage at a second entity, associating a handle to the stored data where each entity is aware of the handle, invoking a service on the stored common data by processing by at least one service application using the handle). Further, simply combining Gabber and Draves would result in a Gabber system with a kernel of an operating system at the proxy server. It would not, however, result in a system wherein a service is provided by that kernel on stored data, since neither Draves nor Gabber transfers and stores the common data on which multiple different services are to be invoked, creates a handle for the common data, or invokes services on stored common data using the data handle. Accordingly, Applicants conclude that the claim language is not obviated.

Serial No. 09/478,313
Art Unit No. 2141

Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, reconsideration of the claim language, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,

M. H. Kalantar, et al

By: Anne Vachon Dougherty
Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910